IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

WRIT PETITION NO : 18545 of 1994

Between:

M/s. Hyderabad Allwyn Ltd.,
Rep. By its Chairman (Housing Committee)
Sanathnagar, Hyderabad.

..... PETITIONER

AND

1 The Mandal Revenue Officer, Balanagar,
Ranga Reddy Dist.,.

2 The Dist. Collector, R.R.,Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or direction preferably writ of Mandamus declaring the action of the 1st respondent demolishing the compound wall in the land in Survey No. 336 of Kukkadpally Village, Balanagar Mandal, RR dist., belongs to the Petitioner as illegal arbitrary and violates the principles of natural justice and consequently direct the respondents not to interfere with the possession and structures of the petitioners in any manner.

Counsel for the Petitioner: MR.K.VINAYA KUMAR

Counsel for the Respondents: GP FOR REVENUE

The Court Made the Following :

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ORDER:

It is stated in the affidavit filed in support of the writ petition that the Government of Andhra Pradesh had allotted land by way of alienation admeasuring Acs.79-29 cents in Survey No.337 of Kukatpally Village, Rajendranagar Taluka, Ranga Reddy District, in favour of the petitioner for construction of houses to the workers on payment of market value at the rate of Rs.35,000/- per acre. It is further stated that after completion of the formalities, the possession of the land was delivered to them under written panchanama,
dated 18-02-1984. It is alleged that all of a sudden on
21-09-1994, the staff of the 1st respondent came to the spot and demolished the portion of the compound wall erected by the petitioner surrounding the land. It is the said action that is challenged in this writ petition.

This Court by its order, dated 11-10-1994, having admitted the writ petition granted interim stay for a period of one month and thereafter extended the stay order until further orders by order, dated 08-11-1994, which is still subsisting.

Without going into the merits of the various contentions raised in the writ petition by the petitioner, it would be appropriate to dispose of this writ petition directing the respondents not to

demolish the compound wall or any portion thereof and make an attempt to interfere with the possession of the petitioner except in accordance with law. It shall always be open to the respondents, if they intend to proceed against the petitioner to put him on notice and make an appropriate enquiry and then take the decision in accordance with law.

The writ petition is accordingly disposed of. No order as to costs.

ASSISTANT REGISTAR

// TRUE COPY //

SECTION OFFICER

To

1. The Mandal Revenue Officer, Balanagar, Ranga Reddy District.
2. The District Collector, R.R., Hyderabad.
3. 2 CCs to G.P. for Revenue, High Court buildings, High Court of A.P. Hyderabad. (OUT)
4. 2 CD copies.